

**Alleged Violations of the
Law Enforcement Information Network (LEIN)
As Required by PA 133 of 2009, Section 305
Year 2009**

Pursuant to PA 133 of 2009, Section 305, the following summary report identifies alleged violations of LEIN as processed by the Michigan State Police, Criminal Records Division, LEIN Field Services Section, from January 1, 2009 through December 31, 2009:

Number of Complaints Processed	115
Unfounded Complaints	35
No Violation Found	22
Violation Found	42
Noncompliant with Rules	13
Unsatisfactory Audits	3
Subpoenas/Court Orders	0

Additional Sanctions

Officers Reported to MCOLES	25
Prosecutions	5
Suspension/Removal of LEIN Access	0

When LEIN Field Services staff receives a complaint, a check is made of the LEIN historical records for any query matching the substance of the complainant's statement. If no information is found, the complaint is deemed unfounded, and the complainant is informed via letter.

If information is found, a letter is sent to the head of the agency responsible for the LEIN query requesting an investigation and response to the CJIS Systems Officer (CSO), currently Capt. Charles Bush, commander of the Criminal Records Division. Agencies are expected to comply with a 90-day deadline for reporting. If the agency is unable to complete its investigation in the allotted time, the agency may request an extension.

Information submitted by the agency is reviewed by the staff of LEIN Field Services, and a recommendation is made to the CSO regarding the disposition of the case. If the CSO deemed the LEIN query was not in violation of the law or rules governing LEIN, a determination of No Violation was made. If the CSO believed the query does violate either the rules or the laws, a determination of Violation was made. If the violator is a certified law enforcement officer and the CSO found the officer has improperly disclosed non-public information obtained from LEIN, or used LEIN for a personal reason, the officer was referred to MCOLES.

Each case that appears to be a violation must be referred to the county prosecutor for review. In 2009, five cases resulted in charges. In four of the cases, the subjects pled guilty to charges of misuse of LEIN. A warrant has been issued for the arrest of the fifth subject.